

PROHIBITING WEAPONS ON SCHOOL PROPERTY

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The federal Gun-Free School Zones Act prohibits any individual from knowingly possessing a firearm that has moved in or otherwise affects interstate commerce in a school zone. A “firearm” is (1) any weapon (including a starter gun) which will or is designed to or may be readily converted to expel a projectile by the action of an explosive; (2) the frame or receiver of any such weapon; (3) any firearm muffler or silencer; or (4) any destructive device which includes any explosive, incendiary or poison gas.

For the purposes of this Policy, the term “weapons” shall in addition to “firearms” as defined above also include BB-guns, pellet guns, paint ball guns, electronic defense weapons (as defined in RSA 159:20), aerosol self-defense spray weapons (as defined in RSA 159:20), martial art weapons (as defined in RSA 159:24), replicas, and any other object or substance which in the manner it is used, or threatened to be used, is capable of producing death or bodily injury.

Visitors, faculty, staff, students, and volunteers are strictly prohibited from bringing any firearm or weapon, whether visible or concealed, into any school building, onto school property or a school bus, or to any in person school-sponsored event.

A violation of this Policy by any person will result in an immediate report to the Chief Executive Officer.

A student violation of this Policy will result in immediate confiscation of the weapon and notice to the student's parents or guardians. The student shall also be subject to discipline up to and including suspension or expulsion from school. The Administration is authorized to suspend any student possessing a weapon or any object used as a weapon while in school buildings, on school property, while riding a school bus, or at any function held under the name of the Virtual Learning Academy Charter School. If the student violation involves a firearm, the VLACS shall expel that student from school in accordance with RSA 193:13, III, and, in accordance with the requirements of the federal Gun-Free Schools Act, any such expulsion shall continue for a period of not less than one (1) year, subject to the authority of the CEO to modify such expulsion requirement for a student on a case-by-case basis. If the student violation involves the possession of a pellet or BB gun, rifle, or paint ball gun or other weapon as defined in this Policy, the student may be expelled under RSA 193:13, II.

Pursuant to the provisions of 20 U.S.C. §7961 of the Gun-Free Schools Act, the CEO or CEO's designee shall contact local law enforcement authorities and the Division of Children and Youth Services and notify them of any student who brings a firearm or weapon on school property.

A faculty, staff, or volunteer violation of this Policy shall be subject to discipline, up to and including dismissal.

Members of the public who violate this Policy will be reported to law enforcement authorities.

The CEO, or designee, shall have the authority, pursuant to RSA 193:13, III and the Gun-Free School Zones Act and Gun-Free Schools Act, to grant written authorization to a student or other person to possess a firearm or other weapon on school property. Any such authorization shall be requested in writing, and if the authorization is requested on behalf of a student, it shall be signed by a parent or guardian. The authorization, if granted by the CEO, must be issued in writing in advance of the possession. Any such authorization shall identify the student or other person, the weapon or firearm, the purpose of the possession, the location on school grounds where the weapon or firearm shall be kept, and time frame(s) of the authorization.

The only persons who are exempt from this Policy are law enforcement personnel. Other individuals may be exempted by the Gun-Free School Zones Act.

Statutory Reference :

Gun-Free Schools Zone Act (18 U.S.C. §921, et seq.)

Gun-Free Schools Act (20 U.S.C. §7961)

RSA 193-D

RSA 159:20

RSA 159:21

RSA 159:23

RSA 159:24

Ed. 317

Date Adopted: November 14, 2024

Revision Dates: